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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/615,668	07/08/2003	Antonio Covacci	CHIR-0337

Chiron Corporation
Intellectual Property
PO Box 8097
Emeryville, CA 94662-2708

CONFIRMATION NO. 6533

FORMALITIES
LETTER

Date Mailed: 06/28/2006

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

RECEIVED

Filing Date Granted

AUG 14 2006

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR § 1.821(a)(1) and (a)(2). However, this application does not comply with the requirements of 37 CFR §§ 1.821-1.825. The application must be in sequence compliance before examination on the merits.

DOCKET DEPT
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APPLICANT IS GIVEN ONE MONTH FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 CFR §§ 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR § 1.821(g). Extension of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR § 1.136. In no case may an applicant extend the period for response beyond the six-month statutory period. Direct the response to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

See the attachment.

Applicant Must Provide as part of the response:

- An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

To Download Patentin Software, visit <http://www.uspto.gov/web/patents/software.htm>
For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov



Tfw

DOCKET NO.: CHIR-0337

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Antonio Covacci, et al.

Confirmation No.: **6533**

Application No.: **10/615,668**

Group Art Unit: **1632**

Filing Date: **July 8, 2003**

Examiner: **Not Yet Assigned**

For: **Helicobacter Pylori CAI Antigen**

DATE OF DEPOSIT: August 28, 2006

I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID, ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

TYPED NAME: Patrick J. Farley, Ph.D.
REGISTRATION NO.: 42,524

☒ MS Amendment ☐ MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REPLY TRANSMITTAL LETTER

- ☐ A Preliminary Amendment.
- ☒ A Reply Responsive to the Notice to Comply Dated June 28, 2006.
- ☐ A Reply Supplemental to the Paper filed
- ☐ A Substitute Specification (pages 1 -) in clean form.
- ☐ A substitute specification (pages 1 -) with markings.
- ☐ An Abstract is enclosed.
- ☐ replacement sheets of drawings are enclosed comprising figures
- ☐ Request is hereby made to accept black and white photograph(s) in this case, as they are the only practicable medium for illustrating the claimed invention. One (1) set of black and white photographs comprising figure(s) is submitted herewith.

09/01/2006 RFEKADU1 00000021 10615668

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- ☐ Petition is hereby made to accept drawing(s)/photograph(s) in this case.
 - ☐ Three (3) sets of color drawing(s)/photograph(s) and black and white photocopy that accurately depicts to the extent possible, the subject matter shown in the color drawing(s)/photograph(s), are enclosed, comprising figures
 - ☐ An amendment to the first paragraph in that portion of the Brief Description of the Drawings is also enclosed herewith advising that the patent contains at least one drawing/photograph in color.
- ☐ A Certified Copy of each of the following applications: is enclosed.
- ☐ An Assignee Power of Attorney is enclosed.
- ☐ Information Disclosure Statement.
 - ☐ Attached Form 1449.
 - ☐ A copy of each reference as listed on the attached Form PTO-1449 is enclosed herewith.
- ☐ A Terminal Disclaimer is attached.
- ☐ Appendices as follows:
- ☒ Other: Courtesy Copy of Notice to Comply; Copy of Return Receipt Postcard date stamped received by United States Patent and Trademark Office on July 8, 2003
- ☐ **No Additional Fee is Due.**
- ☐ Applicant(s) has previously claimed small entity status under 37 CFR § 1.27.
- ☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR § 1.27 as
- ☐ This application is no longer entitled to small entity status. It is requested that this be noted in the files of the U.S. Patent and Trademark Office.

				SMALL ENTITY		NOT SMALL ENTITY	
	REMAINING AFTER AMENDMENT	HIGHEST PAID FOR	EXTRA	RATE	FEE	RATE	FEE
TOTAL CLAIMS	49	(20 MINIMUM) 49	0	\$25 EACH	\$	\$50 EACH	\$0
INDEP. CLAIMS	2	(3 MINIMUM) 3	0	\$100 EACH	\$	\$200 EACH	\$0
FIRST PRESENTATION OF MULTIPLE DEPENDENT				\$180	\$	\$360	\$
<input checked="" type="checkbox"/> ONE MONTH EXTENSION OF TIME				\$60	\$	\$120	\$120.00
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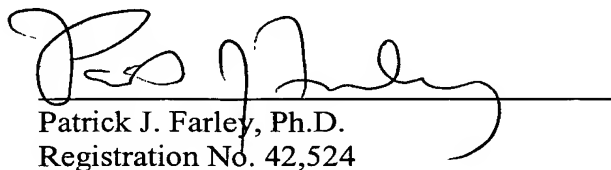
- ☒ A check in the amount of **\$120.00** is attached. Please charge any deficiency or credit any overpayment to Deposit Account 23-3050.
- ☐ Please charge Deposit Account No. 23-3050 in the amount of .00 . This sheet is attached in duplicate.
- ☒ The Commissioner is hereby authorized to charge any deficiency or credit any overpayment of the fees associated with this communication to Deposit Account No. 23-3050.
- ☒ Petition is hereby made under 37 CFR § 1.136(a) (fees: 37 CFR § 1.17(a)(1)-(4)) to extend the time for response to the Notice to Comply of JKune 28, 2006 to and through august 28, 2006 comprising an extension of the shortened statutory period of one (1) month.

DOCKET NO.: CHIR-0337

PATENT

- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account 23-3050. This sheet is provided in duplicate.

Date: August 28, 2006


Patrick J. Farley, Ph.D.
Registration No. 42,524

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One Liberty Place - 46th Floor
Philadelphia PA 19103
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**RECEIVED BY THE UNITED STATES
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Paper: Patent Application Transmittal Letter (in dup w/Express Mail sticker);
Divisional Application (total pages 1 - 67) including: Specification on
pages 1 - 61, 37 claims on pages 62 - 66 and abstract on page 67; 14
sheets of formal drawings comprising Figure(s) 1A, 1B, 1C, 2, 3, 4A,
4B, 4C, 4D, 4E, 4F, 5A, 5B and 5C; Computer Readable copy of
Sequence Listing; Paper Copy (20 pages) of Sequence Listing;
Statement to Support Filing And Submission In Accordance with 37
CFR §§1.821 THROUGH 1.825; Unexecuted Declaration; Preliminary
Amendment Pursuant to 37 CFR §1.115; return receipt postcard; check
in the amount of \$1,291.00; all via Express Mail No. EV 160094039
US.

Applicant(s): Antonio Covacci, Massimo Bugnoli, John Telford, Giovanni Macchia,
Rino Rappuoli

Title: *Helicobacter Pylori* CAI Antigen

Serial No.: Not Yet Assigned

Filed: Herewith

Docket No.: CHIR-0337

Date Sent: July 8, 2003

Sent by: DBElderkin/FEGroth/ltaylor return card to Jackie Davies

